



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Giordano

Serial No. 10/574,407

Attorney Docket No.: 03-40171-US

Filing Date: August 28, 2006

Art Unit: 1635

**GENE MODULATION BY RB2/p130  
EXPRESSION**

**RESPONSE TO OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated March 25, 2009, Applicant respectfully requests reconsideration of the above-identified application for the reasons set forth herein. A Response to the presently outstanding Office Action was due on April 25, 2009. A Request for a One-Month Extension of Time is filed concurrently herewith, to and including May 25, 2008. Accordingly, the present response is believed to be timely filed.

Should there be any additional fees due and owing with respect to this Amendment and Response, the Examiner is hereby authorized to charge such fees to Deposit Account No. 18-0586.


**EXPRESS MAIL CERTIFICATE (37 CFR 1.10)**

Express Mail Label No. EV 831190434 US

Date of Deposit: May 20, 2009

I hereby certify that this paper, and the papers and/or fees referred to herein as transmitted, submitted or enclosed, are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name: Cody M. Nye

Signature: 

### **STATUS OF THE CLAIMS**

Claims 1-20 are pending in the Application.

Claims 1-20 are subject to an election requirement.

Claims 1-4 and 13-20 have been withdrawn.